

AMC
Alternative Dispute Resolution (ADR)
Plan for Workplace Disputes

I. INTRODUCTION

In passing the Administrative Dispute Resolution Act of 1996 (ADRA of 1996), Congress recognized that agency dispute resolution proceedings had become increasingly formal, costly, and lengthy, resulting in unnecessary expenditures of time and a decreased likelihood of achieving consensual resolution of disputes.¹ Congress also found that ADR procedures yield decisions that are faster, less expensive, and less contentious than traditional agency dispute resolution proceedings and that ADR can lead to more creative, efficient, and sensible outcomes.

Air Force Policy Directive (AFPD) 51-12 is designed to implement the ADRA of 1996 and to establish an Air Force ADR Program that promotes the voluntary use of ADR. Air Force Instruction (AFI) 51-1201 implements Air Force ADR policy in workplace disputes. This plan implements AFPD 51-12 and AFI 51-1201, paragraph 20.

II. PURPOSE, GOAL, AND VISION

Purpose:

To support the mission of AMC through the use of ADR by: (1) enhancing the effectiveness and efficiency of workplace dispute resolution throughout AMC; (2) matching AMC ADR needs with appropriate resources; and (3) translating individual dispute resolution knowledge and skills into a corporate capability.

Goal:

To implement a command-wide ADR program which provides a framework/process for the development/enhancement of installation-level ADR programs.

Vision:

To promote the use of ADR to the maximum extent practicable and appropriate to resolve workplace disputes at the earliest stage possible, by the fastest and least expensive method possible, and at the lowest possible organizational level.

III. SCOPE

The scope of the AMC Plan incorporates opportunity for voluntary ADR of workplace disputes that arise in any context and involve any AMC personnel, civilian or military. ADR techniques should be available to assist in resolving matters raised within equal employment opportunity (EEO), Merit Systems Protection Board (MSPB), negotiated grievance procedure (NGP), administrative grievance procedure (AGP), unfair labor practice (ULP) charge, military equal opportunity and treatment (MEO), and any other eligible workplace disputes, as defined in AFI 51-1201, paragraph 19.

¹ See Congressional findings in Section 2 of Pub. L. No. 104-320, 110 Stat. 3870 (1996).

Military personnel disputes appropriate for resolution through the facilitation process or technique shall be screened in accordance with applicable AFIs. For MEO cases, see AFI 36-2706.

ADR is not intended as a substitute for appropriate action under the Uniform Code of Military Justice (UCMJ) or for use in appealing any action under the UCMJ. Specifically, ADR shall not be used to address misconduct by military members that may be actionable under the UCMJ.

AMC installations are authorized, subject to coordination with HQ AMC/A13, to develop variations to this plan to accommodate local situations.

IV. ADR PROGRAM STRUCTURE AND KEY PLAYERS

A. HQ USAF

AFDP 51-12 and AFI 51-1201 establish the Air Force ADR policy and program infrastructure. AFI 51-1201 further implements Air Force ADR policy and program goals in workplace disputes and assigns roles and responsibilities at the Headquarters Air Force, MAJCOM, and installation levels. Consistent with AFDP 51-12 and AFI 51-1201, the organizations below have the following responsibilities:

1. SAF/GCD

The Deputy General Counsel for Dispute Resolution (SAF/GCD) is the Air Force Dispute Resolution Specialist and has overarching responsibility for Air Force ADR policy and guidance IAW AFDP 51-12, paragraph 4.1, and AFI 51-1201, paragraph 4. SAF/GCD secures monies in the Air Force POM and uses these corporate funds to provide for ADR-related training, travel, and services. SAF/GCD works closely with HQ AMC and installation level functional offices to match AMC ADR training, implementation, and guidance needs with existing Air Force resources.

2. AF/DP

The Deputy Chief of Staff for Personnel works with SAF/GCD to provide guidance on the use of ADR in civilian and military equal opportunity and labor-management relations programs. The Directorate of Personnel Policy, HQ USAF/DPP, is the OPR for exercising this function. (Ref: AFI 51-1201, paragraph 6)

B. HQ AMC

HQ AMC/A1 serves as the ADR process owner; HQ AMC/A13 has been designated as the AMC Workplace Dispute ADR Champion. The AMC ADR Champion is responsible for developing, implementing, and revising the AMC Workplace Dispute ADR Plan, ensuring the development of each AMC installation's individual Workplace Dispute ADR Plan, providing oversight of the ADR program within the command, and annually assessing the development and progress of the command ADR program through the collection of annual reporting data from the local installations. (Ref: AFI 51-1201, paragraph 10)

V. AMC ADR PLAN FOR WORKPLACE DISPUTES

A. Installation-Level Structure

1. Wing/Installation Commander. While use of ADR techniques must be voluntary, commanders must be strong advocates in order for ADR to succeed. Each AMC installation commander, or designee, will:

a. Issue a written policy promoting the use of ADR in workplace disputes whenever practicable and appropriate to do so. (Ref: AFI 51-1201, paragraph 11.1)

b. Appoint a single ADR Champion to: (1) work with key stakeholders in developing, implementing, or enhancing an installation-level workplace dispute ADR plan, consistent with the AMC ADR plan and AFI 51-1201; and (2) promote the use of ADR to resolve workplace disputes. Appointment of the ADR Champion shall be accomplished IAW Part V.A.2. below.

c. The commander shall also take appropriate steps to ensure his/her ADR activity is coordinated across functional lines (i.e. EEO, MEO, JA, and CPF) to avoid unnecessary duplication of effort and to ensure the installation's workplace ADR program is explained and understood by installation employees. These steps may be accomplished, if deemed necessary and appropriate, by the designation of ADR Functional Area Managers (FAMs), IAW AFI 51-1201, paragraph 13 (see para V.A.6 below).

d. Approve the installation ADR plan (Ref: AFI 51-1201, paragraphs 11.3, 20)

e. With the assistance of the ADR Champion and coordination with the Union (if applicable), select and appoint individuals to serve as mediators/neutrals for purposes of workplace dispute ADR. (Ref: AFI 51-1201, paragraphs 11.4 and 22.3)

f. Exercise best efforts to ensure availability of adequate training resources to maintain proficiency of collateral-duty mediators or other neutrals and ADR program administrators. (Ref: AFI 51-1201, paragraph 11.5)

2. ADR Champion

ADR Champions coordinate all workplace ADR efforts at their installation within and among the functional communities.

a. Selection by Commander

Commanders must place special emphasis on selection of their installation ADR Champion. In order to ensure that this person is viewed as the most trusted, respected, objective, and fair neutral party by all segments of the workforce, commanders shall solicit and encourage input from all stakeholders, including local Union officials. (Ref: AFI 51-1201, paragraph 11.2)

b. Roles/Duties

The ADR Champion is the single point of contact for all workplace dispute ADR program activity at the installation, including but not limited to the following elements:

(1) Program oversight/implementation

(2) Data collection/reporting

(3) Annual funding/resource requirements development/projection

- (4) ADR awareness training and program marketing
- (5) Selection of mediators and other trusted neutrals
- (6) Mediator training/resource requirement projection
- (7) Mediator performance evaluation
- (8) Assist/administer case screening/selection for use
- (9) Coordination of ADR activity across functional lines, e.g., EEO, MEO, JA, CPF
- (10) Other duties as specified in AFI 51-1201, paragraph 12

The ADR Plan will cover all AMC personnel. The ADR Champion will work with the local unions and Labor Relations Officers, as necessary, to negotiate/develop appropriate ADR agreements/processes as they relate to bargaining unit employees. If agreements already exist, those processes should be incorporated into the installation ADR plan. Other agreements may be necessary to ensure ADR can be used in all potential workplace disputes (i.e., NGP, MSPB, ULP, EEO). Any agreement must be coordinated with the unions and installation DP and SJA or designee to ensure compliance with applicable laws, regulations, and local collective bargaining agreements.

3. Installation Staff Judge Advocate (SJA)

The SJA provides legal advice to the commander and ADR Champion in the development and execution of the installation ADR program; advises the commander or designee of the suitability of workplace disputes for ADR; provides timely advice and guidance on legal issues arising in connection with ADR proceedings, including confidentiality of ADR communications and union participation in ADR proceedings other than as a party or party representative; and reviews settlement agreements for legal compliance as provided in Part V.H below. (Ref: AFI 51-1201, paragraph 14)

4. Installation Civilian Personnel Flight (CPF)

The CPF will assist the installation ADR Champion in developing and implementing the installation ADR program and work with other functional offices, including the Union as appropriate, to foster the use of ADR in non-EEO workplace dispute processes. These dispute processes can include administrative and negotiated grievances, ULP allegations, MSPB appeals, and other workplace disputes that are outside the EEO complaint system. In addition, the CPF will review settlement agreements for compliance with Air Force, DOD, and federal personnel policies and regulations as provided in Part V.H below. (Ref: AFI 51-1201, paragraph 15)

5. Installation EEO Manager

The EEO Manager is responsible for ensuring that ADR is available for informal and formal EEO complaints IAW Equal Employment Opportunity Commission (EEOC) directives. In addition, the EEO Manager will assist the installation ADR Champion in developing and implementing the installation ADR program for use in EEO complaints and work with other functional offices, including the Union as appropriate, to integrate ADR into the EEO complaints program. In addition, the EEO Manager assures compliance with EEOC and Air Force EEO policies and regulations, as provided in Part V.H below. (Ref: AFI 51-1201, paragraph 16)

6. ADR Functional Area Managers (FAMs)

If necessary and helpful to effective administration of an installation's ADR plan, the ADR Champion may designate, with the concurrence of the office involved, a FAM in any office having a functional responsibility for resolving workplace disputes (e.g., Labor Relations, Employee Relations, EEO, JA). The FAM will serve as his or her office's primary point of contact for the ADR Champion to facilitate the use of ADR in any dispute resolution process for which that office has a functional responsibility. Designation of FAMs is entirely optional and will depend largely on the volume and scope of the installation's workplace disputes activity. ADR Champions who themselves are assigned to an office with workplace disputes responsibility (e.g., CPF, EEO), ordinarily will not designate a FAM for that office. (Ref: AFI 51-1201, paragraph 13)

7. Partnership with Unions

a. The local unions at each installation are essential stakeholders whose participation and support for using ADR to resolve all workplace disputes, including bargaining unit employee grievances and unfair labor practice charges, are essential to overall program success. It is essential to include the local union in the design and negotiate the implementation of the installation ADR Program if grievances and labor-management disputes are to be included within the scope of the program.

b. Consistent with the above, local union(s) may, at their discretion, designate an "ADR Advocate." The ADR Advocate is a Union official who serves as the Union's primary liaison with management concerning the installation ADR program and its implementation, including drafting and revising the ADR plan, appointment and training of collateral duty mediators/neutrals, ADR marketing, and the use of ADR in specific disputes as it relates to bargaining unit employees.

B. Compliance with Equal Employment Opportunity Commission (EEOC) Regulations

In accordance with EEOC regulations found at 29 C.F.R. 1614, every AMC installation workplace dispute ADR Plan must encompass EEO informal and formal complaints. The installation EEO Manager serves as the primary point of contact for disputes involving alleged discrimination and, if not appointed as the ADR Champion, shall work closely with the installation ADR Champion on ADR matters related to EEO cases. In addition, the Air Force has deployed the new EEONet Web-based case management and data reporting system to standardize EEO and ADR reporting within the Air Force and to the EEOC. Those documents that relate to ADR will also be available on the Air Force ADR Program web site at <http://www.adr.af.mil>.

C. ADR Processes

The ADRA of 1996 defines ADR as any procedure that is used to resolve issues in controversy and one in which "a neutral is appointed and specified parties participate." AMC bases may incorporate into their plans one or more of these processes commensurate with the workplace dispute workload and mission requirements at the installation:

1. Mediation: Mediation is an informal process in which a neutral third party assists the opposing parties in reaching a voluntary, negotiated resolution of the complaint. Mediators help

parties identify issues, clarify perceptions, and explore options with focus on developing creative solutions. Mediation is different from other forms of dispute resolution in that the parties participate voluntarily, and the mediator has no authority to make a decision. The decision-making power rests in the hands of the parties.

2. Facilitation: Facilitation is an unstructured and flexible process in which the parties are assisted by a third-party neutral (not necessarily a certified mediator) in interest-based negotiations toward a resolution. Facilitation helps parties to communicate and constructively organize their discussion. It helps parties look beyond their “legal” positions to focus on underlying needs, desires, and concerns in order to resolve the issue. It may be a public or private process and is particularly helpful in meetings involving many participants. Unlike the mediation process, facilitators place little to no emphasis on achieving a solution; but instead, focus on moderating discussion among parties.

3. Peer Review Panels: A panel of four-six employees (i.e., bargaining unit and managers) reviews facts, listens to arguments, and provides a nonbinding or binding decision on an issue in dispute. The number of panel members depends on the installation size and/or workplace dispute workload. Members are appointed by the installation commander, provided formal training, and serve a minimum of 2 years.

4. Factfinding/Early Neutral Evaluation: A structured process in which the parties seek the assistance of a subject matter expert to review the dispute and to provide an assessment of the likely outcome of the dispute. The expert provides a nonbinding opinion regarding how the dispute would likely be resolved by an adjudicative body. The subject matter expert provides a written or oral report of the findings and the parties use this report to assist in resolving their dispute.

D. Appointment of Mediators and Other Neutrals

1. For AMC bases utilizing mediation as a recurring ADR method, the ADR Champion may recruit and maintain a pool of qualified individuals to serve as workplace dispute mediators, facilitators, etc., on a collateral duty basis. The commander shall solicit/consider input from Union officials and may choose to employ a selection panel that includes Union representation (if applicable) to assist in evaluating candidates for mediator and other neutral positions. Bases with minimal workplace dispute/ADR activity (i.e., an annual average of fewer than five (5) disputes) have the option of obtaining mediators and other neutrals from outside sources as the need arises in lieu of establishing a pool of neutrals. Outside sources include other Air Force installations, other federal agencies, or private sector neutrals. SAF/GCD can assist bases in obtaining the services of outside neutrals on a case-by-case basis.

2. For AMC bases that use peer review panels for certain workplace disputes (whether exclusively or in conjunction with other ADR methods such as mediation), the Appointment of employees to serve as panel members should be in accordance with applicable Collective bargaining agreements or other plans negotiated with appropriate unions. See Section V.C.3.

3. The ADR Champion shall ensure that individuals selected as mediators and other neutrals are trusted, respected, objective, and fair. Mediators should possess a special blend of experience, personality traits, and skills in order to ensure effectiveness. AFI 51-1201, paragraph 23, outlines standards of conduct that Air Force mediators and case intake officials must

maintain when providing mediation services. They are consent, self-determination, impartiality, conflict of interest, confidentiality, integrity of the process, and competency. AMC will adhere to these standards.

4. Installations using mediators will develop a mediator selection process that is consistent with the criteria found in Attachment 1.

5. In order to remain effective following initial training, mediators need to employ their skills on a regular basis. Commanders should, therefore, appoint the number of mediators necessary to ensure that each has an opportunity to serve at least once per quarter and preferably, more often.

E. Skills Training for Appointed Neutrals

1. Mediator Training.

a. The Air Force centrally funds mediation training at the Air Force Civilian Personnel School at Maxwell AFB. In addition, mediation training is provided at various other locations, called “road shows,” based on need and available resources. Both courses consist of 4 days of intense classroom lectures, seminar discussions, and role-playing exercises. Nominations for either training course should be submitted through the AMC ADR Champion for consideration. Utilize Attachment 2 to nominate individuals for mediator skills training. As a general rule, only those individuals appointed by commanders to be mediators at each installation should receive mediator skills training. For bases wishing to employ more than one type of ADR process, keep in mind that anyone trained as a mediator can also facilitate. On a case-by-case basis, the ADR Champion may nominate others to receive such specific mediator skills training, if needed to enhance their contribution to the workplace dispute ADR program. In order to remain effective, mediators must receive 8 hours of refresher training at least every 12 months. (Ref: AFI 51-1201, paragraph 22)

b. Where mediator training meeting the standards of the AF ADR program is available at no cost, or if central funding is unavailable, installations may locally obtain and fund such training without prior approval of the AF ADR Program Office. Ensure that training obtained from non-Air Force sources meets minimum Air Force requirements of at least 30 hours combined classroom training and role-playing exercises. (Ref: AFI 51-1201, paragraph 22.2)

2. Peer Review Panel or Other Neutrals Training

Bases utilizing peer reviews or other neutrals will select and deploy the training that management and the Union (if applicable) agree on. SAF/GCD can assist in providing this tailored training through contract trainers and may include mediation, effective communication, and listening skills, etc.

F. ADR Case Selection Criteria

Under the ADRA of 1996, Congress requires consideration of the following factors in deciding if a case is appropriate for ADR.² If any of the considerations listed below apply to an issue in controversy, use of ADR *may not* be appropriate:

² See 5 U.S.C. § 572(b).

1. A definitive and authoritative decision is needed as a precedent.
2. The matter involves significant issues of government policy and ADR will not assist policy development.
3. The need to maintain an established government policy is especially important, requiring consistent results
4. The matter significantly affects nonparties.
5. A full public record of the proceeding or resolution is important.
6. The agency must maintain continuing jurisdiction over the matter with the right to alter the resolution as circumstance demands.

In addition, other cases may be inappropriate for ADR, based on the type of case or particular facts and circumstances. Refer to AFI 51-1201, paragraph 21, for guidance in screening cases for ADR suitability. In all cases, screening to determine whether a dispute is appropriate for ADR must be accomplished before an unconditional offer of ADR is made. (Ref: AFI 51-1201, paragraph 21.3)

G. ADR Program Education and Training

The Air Force ADR Program Office, upon request of the AMC ADR Champion and to the extent resources permit, will provide ADR program education and training. Requests for this training will be submitted to the AMC ADR Champion. The purpose of ADR awareness education and training is to increase overall understanding and acceptance of the ADR process and when its use is appropriate, rather than providing specific skills training for individuals to actually perform as workplace dispute mediators. Such ADR awareness education should be provided to commanders, supervisors, managers, other military and civilian personnel, and Union officials. All ADR awareness education, as a minimum, will ensure attendees:

1. Understand the Air Force policy and its rationale;
2. Understand what ADR is (including, but not limited to, facilitation and mediation) and how it can assist them in resolving disputes in a consensual, nonadversarial manner;
3. Understand the potential of ADR to resolve the issues underlying a dispute;
4. Understand the potential of ADR to achieve time and cost savings by providing conflict management tools necessary to resolve disputes at the earliest possible time;
5. Discuss the benefits of confidentiality in mediation proceedings; and
6. Understand not all disputes are appropriate for resolution through ADR.

H. Legal/Compliance Support/Review of ADR Settlement Agreements

1. AMC policy strongly recommends the formation of settlement agreements arrived at through the use of ADR techniques. Not all workplace issues or problems become workplace “disputes.” Similarly, settlement agreements involving workplace issues *may* be simple oral understandings (a “handshake”). However, if an individual has invoked a formal workplace

dispute process (e.g., filed an EEO informal or formal complaint, filed a grievance under the Agency Administrative Grievance System or an NGP, met at Step 1 of the NGP, or engaged in mediation or a negotiated ADR process prior to Step 1 of the NGP), any settlement agreement must be in writing and signed by the parties.

2. In order to ensure that such written settlement agreements are legally valid, enforceable, and/or do not conflict with any regulatory requirements or provisions of a collective bargaining agreement, each agreement should be reviewed by JA, DP, EEO, and/or the Union, as appropriate for the particular issue/dispute involved. *Final* reviews will only address the technical acceptability of the provisions and do not provide the opportunity to judge the wisdom, quality, or value of the settlement agreement. JA review is for legal sufficiency. Subject to local procedures, DP and/or EEO review is to ensure compliance with applicable personnel rules, policies, regulations/instructions, and collective bargaining agreements (if any). (Note: Management officials are also responsible for ensuring compliance with applicable collective bargaining agreements.) DP coordination with the Air Force Personnel Center (AFPC) may also be necessary if a settlement concerns a specific action for which AFPC is responsible. Caution should be exercised in coordinating agreements long distance to protect the confidentiality of the involved parties and to safeguard documents. JA and DP/EEO review/coordination should normally occur before the conclusion of the ADR process (i.e., before a settlement agreement is actually signed by the parties) to avoid any potential compliance problems but not later than 3 workdays following the ADR process.

I. Quality and Evaluation of Neutrals

1. The installation-level ADR Champion will ensure the parties to each ADR proceeding are provided an ADR evaluation form (see Attachment 1) to complete (voluntarily and anonymously if they so choose) and give to the neutral or the ADR Champion or designee following the termination of the proceeding. The installation ADR Champion will collect, review, and summarize these evaluations from the neutrals and will use this information to ensure the quality of the services provided by ADR neutrals remain high.

2. Unless otherwise provided for by local agreement, any complaints or problems with a mediator/facilitator or other third-party neutral should be directed to the installation ADR Champion for appropriate consideration and action. (Ref: AFI 51-1201, paragraph 40)

3. Any complaints or problems with an outside third-party neutral under contract with the Air Force should be directed through the installation and AMC ADR Champion to the AF ADR Program Office for appropriate consideration and action.

J. ADR Program Assessment

1. ADR Program Metrics: To ensure that the ADR Program goals are clearly defined and accurately measured, the AMC ADR Champion will utilize the following metrics to quantify and evaluate program performance. Data and metrics are gathered for informational purposes and to assist in resource allocation planning and will not be used to compare individual installation ADR programs.

a. ADR Attempt Rates

Each installation's performance will be analyzed relative to the previous year. The goal is to attempt ADR in at least 50% of the aggregate of eligible disputes. The desired trend is to increase attempt rates until ADR is attempted in approximately all disputes where appropriate. An "ADR attempt" occurs when a neutral is appointed and specified parties participate in a proceeding using one or more ADR procedure to resolve a dispute. Separate percentage goals may be established for specific categories of disputes (e.g., EEO complaints, grievances). These rates will be identified as the program matures and this metric is modified accordingly. (Ref: AFI 51-1201, paragraph 38.1)

b. ADR Resolution Rates

Analyzes the number of disputes resolved through ADR. The goal is to resolve at least 70% of the disputes in which ADR is attempted. The resolution percentage should increase over time until reaching the maximum reasonable level; however, ADR Champions must ensure that the resolution rate goal is not used to improperly pressure parties into settlements. This level will be identified as the program matures and this metric is modified accordingly. (Ref: AFI 51-1201, paragraph 38.2)

c. Timeliness of ADR Resolutions

Analyzes the average number of days required to begin and complete an ADR process (e.g., "At installation X, we processed our ADR cases in an average of 32 days."). The goal for this metric is an average of 45 calendar days or less. (Ref: AFI 51-1201, paragraph 38.3)

d. Quality Assurance

Measures customer satisfaction regarding the provision of ADR services, i.e., the quality of services provided and the competence of the neutrals providing those services. The goal is to achieve an overall rating of "satisfied" or better for the ADR process employed from at least 80% of the respondents and an overall rating of "good" or better for the neutral from at least 80% of the respondents during the measuring period. (Ref: AFI 51-1201, paragraph 38.4 and Attachment 1)

2. Annual Report

All AMC installations will prepare and submit reports on their ADR data, including performance metrics, as requested by SAF/GCD, IAW AFI 51-1201, paragraph 39. Base reports will be coordinated with the HQ AMC/A13, which will in turn coordinate with HQ AMC/JA. All bases must coordinate and verify data with their CPF, EEO, and JA offices before submitting it to SAF/GCD and HQ AMC/A13.

Attachment 1 - AMC Workplace Dispute ADR Evaluation Form

Date Parties Agreed to Use ADR: <hr/> Date ADR Completed: <hr/> Time ADR Started: _____ Time ADR Ended: _____	ADR Number (if any): <hr/> Neutral: <hr/>
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1. Did ADR resolve the dispute? ☐ Yes ☐ No

2. What was your role in the case? ☐ Employee ☐ Union ☐ Agency ☐ Other
 (please specify) _____

3. How would you compare the amount of time taken to address this case using the ADR process versus what you believe would have been required if a formal dispute resolution had been used to resolve this dispute? ADR was:

- ☐ Significantly faster ☐ Somewhat faster ☐ Same amount of time
☐ Somewhat slower ☐ Significantly slower

4. **ADR PROCESS** - The following questions concern your experience with the ADR Process. Please tell us your impressions of the following features of the process.
 (Please check one)

<i>Feature</i>	<i>Very Satisfied</i>	<i>Somewhat Satisfied</i>	<i>Neutral</i>	<i>Somewhat Dissatisfied</i>	<i>Very Dissatisfied</i>
Amount of information you received about the process.					
Amount of control you had over the process.					
Opportunity to present your side of the dispute.					
Fairness of the process.					
Overall outcome of the process.					
Speed of the process					
Outcome of the process compared to what you expected it to be before it took place.					
Overall, how satisfied were you with the ADR process?					

5. Mediator/Facilitator/Other Neutral: Would you please take a moment to evaluate your mediator/facilitator/neutral using the following chart? (Please check one)

	<i>Excellent</i>	Good	Average	<i>Fair</i>	<i>Poor</i>
1. Neutrality (Did the mediator/facilitator/neutral have the appearance of impartiality, without favoritism or bias?)					
2. Communication (How well did the mediator/facilitator/neutral facilitate communication between the parties?)					
3. Managing the ADR Process (Did the mediator/facilitator/neutral effectively address conflicts, suggest movement ideas, propose problem-solving solutions?)					
4. Patience (Did the mediator/facilitator/neutral devote the necessary time and attention to the parties to keep the process moving without appearing to rush or be in a hurry to complete the process?)					
5. Expertise (Did the mediator/facilitator/neutral demonstrate the necessary expertise to resolve this type of dispute?)					
6. Facilitative Abilities (Did the mediator/facilitator/neutral facilitate dialogue to seek out pertinent information and keep the process moving forward?)					
7. Overall Ability of the Mediator/Facilitator/Neutral in General					

6. Outcome of the ADR (Please Check one): () **Full Settlement** () **Partial Settlement**
() **Did not Settle**

7. Would you recommend this process? () **Yes** () **No**

8. Would you recommend this Mediator/Facilitator/Neutral for future mediations? () **Yes**
() **No**

Comments: _____

Attachment 2 – Nomination Form For Basic Mediation Course

I. BACKGROUND INFORMATION

1. Name: _____
2. Title: _____
3. Organization: _____
4. Rank: _____
5. Phone: _____
6. Fax: _____
7. E-Mail: _____
8. SSN: _____
9. To help us with budgeting for your expenses, please indicate how you would travel to this course: _____ By Car _____ By Plane

II. OPPORTUNITY FOR NOMINEE TO USE MEDIATION SKILLS

1. Types of workplace disputes nominee handles
 - a. _____ EEO Complaints
 - b. _____ Labor/Management Disputes
 - c. _____ MSPB Matters
 - d. _____ Other (please specify)
2. Number of foregoing complaints handled by nominee's in FY ____:
3. Number of foregoing complaints handled by nominee's office in FY ____:
4. Other relevant information about nominee's opportunity to use mediation skills:

III. QUALIFICATIONS OF NOMINEE

Successful mediators possess special skills and abilities. The nominee's supervisor must agree in writing below that the nominee has the ability to:

- _____ glean and analyze information from disputants;
- _____ listen actively;
- _____ suspend judgment;
- _____ facilitate communication between disputants;
- _____ facilitate options for resolution of disputes; and
- _____ draft clearly-worded settlement agreement.

As the supervisor of _____, I believe that _____
(Name of Nominee for the Basic Mediation Course) has demonstrated the ability to do each of
the foregoing.

Name and Title

IV. NOMINEE'S PLEDGE

I have discussed the foregoing with my supervisor and with his/her support make the
following pledge to:

- Attend the 32-hour Air Force Basic Mediation Course;
- Strive to maintain and improve my mediation skills for 24 months after completion of the Air Force Basic Mediation Course;
- Strive to attend regular mediator training meetings scheduled by the Installation ADR Advocate(s) that will provide training on topics such as improving communication skills; mediator ethics; various complaint systems; terms of the union contract; interest-based bargaining techniques; role-playing; improving parts of mediation (i.e., opening statements, what to listen for in parties' statements, moving to caucus, identifying impasse); overview of personnel policies, procedures and POCs; and
- If requested, attend the Air Force Advanced Mediation Course.

Nominee

Date

Attachment 3 – Target Plan Rollout and Implementation

- A. AMC/CC/CV appointment of ADR Champion (29 July 2004)**
- B. Issued AMC/CC ADR Policy Statement w/Draft ADR Plan (29 November 2004)**
- C. Installation CCs issued written ADR policy (completed 15 December 2004)**
- D. Installation CCs appointed local ADR Champions (completed 15 December 2004)**
- E. AMC ADR Champion distributed a list of installation ADR Champions and contact information to installations and AF ADR Office (completed 17 December 2004)**
- F. Installations develop Local ADR plan and obtain Installation CC's approval (complete by 28 February 2005)**
- G. Installation CCs appoint collateral duty mediators/neutrals, if applicable (complete by 28 February 2005)**
- H. AMC ADR Training Workshop (complete by 30 March 2005).**
- I. ADR Champions arrange to provide ADR Awareness Training (GCD will provide suggested materials) (complete by 15 April 2005)**
- J. Incorporate ADR Awareness Training into local training courses, e.g., supervisory and new employee training/orientation (complete by 30 June 2005)**
- K. AMC ADR Program fully implemented by 30 June 2005**